

Report of the Special Committee on Government Oversight

February 2021

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CHIEF CLERK

February 10, 2021

Rob Vescovo, Speaker
House of Representatives
State Capitol Building
Jefferson City, MO 65101

Dear Mister Speaker:

The Special Committee on Government Oversight has met, taken testimony, deliberated and concluded its review of the unemployment overpayments and subsequent request for reimbursement by the Department of Labor. The below listed committee members are pleased to submit the attached report:




Chairman, Representative Jered Taylor



Ranking Minority Member, Representative Raychel Proudie



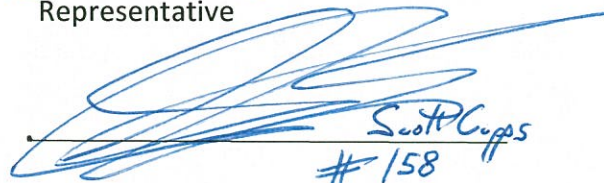
Representative




Representative



Representative



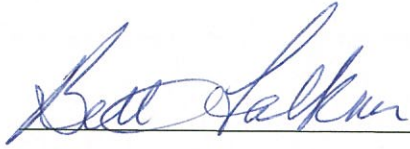
Representative



Representative



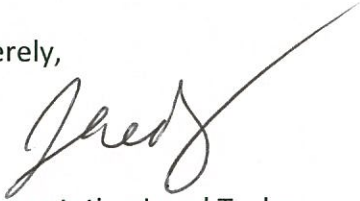
Representative



Representative

Representative

Sincerely,



Representative Jered Taylor
Committee Chair

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Introduction

In early 2020, the COVID-19 pandemic caused many businesses in Missouri to either shutdown or limit the employees that could work there, resulting in many Missourians being laid-off. Due to this, hundreds of thousands of Missouri citizens had to enroll in Unemployment through the Missouri Department of Labor and Industrial Relations (MODOLIR). In order to help states struggling to meet the rising need for unemployment benefits, the Federal government provided for additional assistance through the Lost Wage Assistance program, Pandemic Unemployment Assistance, Pandemic Emergency Unemployment Compensation, and the supplemental Federal Pandemic Unemployment Compensation.

The Division of Employment Security (DES) within the Department of Labor paid over \$5 billion in unemployment benefits to Missouri citizens in 2020, using a combination of state and federal funds. Currently, approximately 3% of the total amount has been classified as an overpayment of benefits. DES has sent billing statements to collect the overpayments from over 40,000 Missouri citizens.

To inquire on this situation, the Special Committee on Government Oversight held a public hearing on February 2, 2021, where Director Anna Hui of the Department of Labor testified in front of the Committee. The Committee also invited members of the public to testify as to how this situation has affected them.

Summary of Public Testimony

At the February 2, 2021, hearing, the Special Committee on Government Oversight heard testimony from Director Anna Hui regarding the unemployment overpayments by the Department of Labor and the Department's subsequent attempts to recoup the money from the unemployed Missourians who received the benefits. Director Hui explained to the committee the overview of the unemployment benefits program, the increase of the participants in the program in 2020, and the data involving the overpayments made in 2020. The Committee also heard and reviewed testimony from the Public as to how they and their fellow constituents have been affected by DES's demands for them to reimburse DES the funds paid out.

Director Hui noted that, since the COVID-19 pandemic ramped up starting March of 2020, the number of individuals who were paid unemployment compensation in the United States peaked at 31.4 million people. In Missouri, the monthly initial claims significantly increased to over 300,000 in 2020, compared to 2019 where the monthly initial claims were less than 50,000. More than half of the claimants that filed in 2020 were new filers. She further stated that, when distributing funds, the goal was to get the money out so that it could be injected into the economy in hopes to increase stabilization.

Additionally, Director Hui stated that overpayments are a regular part of the unemployment program. However, due to the significant increase in the participants of the program, the amount of overpayments (while lower than last year percentage-wise) is significantly larger in quantity of funds. In 2019, DES reports that the overpayment rate of unemployment benefits was 5.3% of the approximately \$236 million of unemployment benefits paid that year. In 2020 however, while the overpayment rate was just under 3%, it was out of the over \$5 billion of unemployment benefits paid that year. Approximately \$150 million of overpayments have occurred in Missouri in 2020. Director Hui testified that this number may go up as more data comes into their office. While she did not have the complete breakdown of the overpayment funds, Director Hui did testify that she believed that majority of the \$150 million was federal money.

DES has requested approximately 46,000 Missouri citizens to pay back over \$150 million in overpayments. Director Hui testified that DES is required by state statute to collect overpayments and provided various documents to show how DES give notice to those who have received overpayments in Missouri. She further stated that the Department would be willing to work with those who received the money to set up a payment plan if they contact them.

In response to questions by the Committee, the Director clarified that, while the state has the ability to waive the federal portion of the overpayments, the state portion of the overpayments are governed by statute. She further stated that the directive from the Governor's office has been to collect on all the overpayments.

During the hearing, Chair Taylor requested the following supplemental data from Director Hui:

- (1) Breakdown of which portions of the overpayments are federal and state money; and
- (2) A geographical breakdown of how much of the total amount of the overpayments are owed by the population across Missouri

After Director Hui's testimony, the committee also invited members of the public to testify on how they have been affected due to DES demanding the collection of the overpayments for 2020. There were testimonies on how the amount of overpayments owed by individuals ranged from a couple hundred dollars to a couple thousand dollars, and one witness testified that she was a school bus driver and received a letter that she had to pay back \$13,000 in overpayments. There were testimonies from witnesses that stated they attempted to contact the Department to discuss this issue but were put on hold for hours just to receive contradictory information. Furthermore, there was testimony that witnesses had just started working again and DES is going to start garnishing their checks. Multiple witnesses stated that they enrolled in unemployment because they were encouraged to by the government and that they did what they were supposed to do. Witnesses felt like they should not be penalized for DES over paying them.

Recommendations

Based on the testimony and responses to committee questions, the committee concluded that legislative action is necessary to rectify this issue. The following bills have been introduced and would require the Department of Labor and Industrial Relations to waive overpayments of unemployment benefits that stem from Federal funds:

- (1) HB 1085
- (2) HB 1083
- (3) HB 1050
- (4) HB 1036
- (5) HB 1035
- (6) HB 873
- (7) HCR 30
- (8) HB 1097

The committee is confident that they will be brought to the General Assembly and ultimately through the Senate and Governor's office as this issue has weighed heavily on many Missouri citizens.

The committee requested supplemental information from Director Hui at the hearing and, as of February 10, 2021, has not received such information yet. Therefore, the committee also recommends that Department of Labor and Industrial Relations provide the information that was requested during the hearing.

Appendix A: Hearing Info

- I. February 2, 2021
 - A. Location: House Hearing Room 1
 - B. Witnesses
 - 1. Anna Hui, Department of Labor and Industrial Relations
 - 2. Cindy Knittig
 - 3. Dan Thacker, Teamsters Local 610
 - 4. Tracy Anglemeyer
 - 5. Paul Lynch
 - 6. Helen Paschke (Written Testimony)
 - 7. Elizabeth Peterson (Written Testimony)
 - 8. Brenda Kay Kelley (Written Testimony)
 - 9. Sandra Griffin (Written Testimony)
 - 10. Laura Knese (Written Testimony)
 - 11. Erica Eakes (Written Testimony)
 - 12. Suanne Stanley (Written Testimony)
 - 13. D'Anne Khazraeinazmpour (Written Testimony)
 - 14. Santaisha Laster (Written Testimony)
 - 15. Marissa Crozier (Written Testimony)
 - 16. Debra Howard (Written Testimony)
 - 17. Garry Ward (Written Testimony)
 - 18. Janeen Osborne (Written Testimony)
 - 19. Amanda Privitera (Written Testimony)
 - 20. James Garrett (Written Testimony)
 - 21. Angela Hays (Written Testimony)
 - 22. Sue Greenberg (Written Testimony)
 - 23. David Robinette (Written Testimony)
 - 24. Serena Turner (Written Testimony)
 - 25. Mary Ann Cappa (Written Testimony)
 - 26. Jane Bagnall (Written Testimony)



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WITNESS APPEARANCE FORM

BILL NUMBER:		DATE: 2/2/2021	
COMMITTEE: Special Committee on Government Oversight			
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input checked="" type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: ANNA HUI		PHONE NUMBER: 573-751-3262	
BUSINESS/ORGANIZATION NAME: MISSOURI DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS		TITLE: DIRECTOR	
ADDRESS: 421 EAST DUNKLIN STREET			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65101
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/2/2021 12:00 AM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			



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TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input checked="" type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: CINDY KNITTIG		PHONE NUMBER: 314-341-2350	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 4855 GRIFFIN RD			
CITY: SAINT LOUIS		STATE: MO	ZIP: 63128
EMAIL: knittigc@yahoo.com	ATTENDANCE: In-Person		SUBMIT DATE: 2/2/2021 12:00 AM
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Will speak on personal unemployment issues			



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COMMITTEE: Special Committee on Government Oversight			
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: Daniel G. Thacker		PHONE NUMBER: 6362213129	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 5002 Ashley Wilkes Way			
CITY: Villa Ridge		STATE: MO	ZIP: 63089
EMAIL: danthacker@teamsterslocal610.org	ATTENDANCE: Written		SUBMIT DATE: 2/2/2021 12:00 AM
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I plan to present testimony regarding over 400 school bus drives and monitors that are impacted by this issue.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: TRACIE ENGELMEYER		PHONE NUMBER: 314-791-0250	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 1955 JENKEE AVENUE			
CITY: FLORISSANT		STATE: MO	ZIP: 63031
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/2/2021 12:00 AM	
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COMMITTEE: Special Committee on Government Oversight			
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input checked="" type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: PAUL D. LYNCH II		PHONE NUMBER: 314-791-1666	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 1771 PRIMROSE LANE			
CITY: BARNHART		STATE: MO	ZIP: 63012
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/2/2021 12:00 AM	
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MISSOURI HOUSE OF REPRESENTATIVES
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Staff Only (did not appear) ☐

BILL NUMBER		DATE <u>2/2/2021</u>	
COMMITTEE NAME Special Committee on Government Oversight			
TESTIFYING (check only one) <input type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS INFORMATION- Fully Complete only <u>ONE</u> of the following sections.			
REGISTERED LOBBYIST: If registered with the Missouri Ethics Commission and testifying on behalf of a business, organization, or government agency, please fully complete this section.			
WITNESS NAME		PHONE NUMBER	
BUSINESS, ORGANIZATION OR GOVERNMENT AGENCY AS REGISTERED WITH THE COMMISSION (Do <u>not</u> use acronyms)			
ADDRESS			
CITY		STATE	ZIP
BUSINESS/ORGANIZATION: If officially testifying on behalf of a business or organization, please fully complete this section.			
WITNESS NAME		TITLE	
BUSINESS/ORGANIZATION NAME (Do <u>not</u> use acronyms)		PHONE NUMBER	
ADDRESS			
CITY		STATE	ZIP
INDIVIDUAL: If testifying only on behalf of yourself, please fully complete this section.			
WITNESS NAME Helen Paschke		PHONE NUMBER 314-795-5214	
ADDRESS 179 Cherry Hills Meadows Dr			
CITY Grover		STATE MO	ZIP 63040-1649
TESTIMONY			
PLEASE SUMMARIZE VERY BRIEFLY THE TESTIMONY TO BE PRESENTED. IF WRITTEN TESTIMONY IS AVAILABLE, ATTACH A COPY. I am affected by the MO Dept of Labor's alleged unemployment overpayments. I am a school bus driver for a public school district. Due to the Pandemic, I was told I was eligible for unemployment. My claim was accepted and I was paid benefits. I was not given reasonable assurance that school would open for the next school year and summer work was not available. I filed my claim in good faith. I used the funds for living expenses. Many months later the State has found that they made an error and claim an overpayment. It would be a great hardship to have this debt.			
SIGNATURE			
I affirm that my testimony (oral or written) is true and correct.			
Signature: <u>Helen Paschke</u>		Printed Name: <u>Helen Paschke</u>	Date: <u>2/2/2021</u>
A witness who provides false testimony may be subject to criminal prosecution for perjury or other offenses, or contempt proceedings pursuant to Article III, Section 18 of the Missouri Constitution.			
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ELIZABETH PETERSON		PHONE NUMBER: 417-626-2125	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 1221 EUCLID AVE			
CITY: JOPLIN		STATE: MO	ZIP: 64801
EMAIL: Buffypeterson@hotmail.com		ATTENDANCE: Written	SUBMIT DATE: 2/2/2021 12:00 AM
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In opposition to repayment of overpayments especially in systemic level worker minority group who has no representation and has been told to we are not getting access to our benefits. I promote system level change and regulatory reform for substitute teachers statewide and nationwide who are being wrongfully perceived by a wrongful policy guideline in place known as reasonable assurance this needs lifted from our minority worker classification group it is not applicable due to several complex bullet point factors and there is need for system changes and for regulatory reform. Also, hardship waivers are placing in my opinion our state into a position of non-compliance for a federal benefit entitlement benefit per beneficiary that's me enforcement I as a U.S. citizen asked for a waiver and the state is showing non action.

Several of us in Joplin were affected me and my colleagues that work for the exact same employer were not "mistakenly" given and yet according to the interpretation of the UI eligibility criteria the MO UI agency claims specialists have not and only by appeal now are we able to attempt a re-considered determination. As it stands currently, we had an issue and the agency made a new determination that caused us to be denied our benefits and deemed per the system structure as ineligible. This was not a cut and dry and so only for certain portions of time this summer we have all received overpayments due amounts of individually nearly 8K each.

We have Senator White notified who seems to be working on this with DOL Missouri DES division specifically Specialists that seem to concur that we have been answered to already and there will be no more re-considerations only an appeals process.

But if I may add we do not feel we owe this and it is literally the governor who defined the agency's as in owns these mistaken overpayments. Moreover, the governor offers not a wavier initiative for forgiveness like other states.

So, if the state doesn't want to owe the federal perhaps it's time for high end review of the regulatory . The regulatory needs perhaps state and federal reform. The criteria that the state is using per Federal interpretational of not only our classification as workers standard which I see is mis-labeling us as state employees and there is huge double standards occurring for temp agency hiring middleman who hire our same job classification and then do not consider those employees state employees? There is huge need of overhaul per regulatory reform and the dept of education federally

defined us decades to adhere to specific guidelines followed by full time certified teachers as in one grouping of classification. None of this is applicable to our relationship of job security that as substitute teacher who are not certified to teach full time due to our qualifications are unmet as in different in standing per job title requirements, we hold. We are at will employees and we have no insurance we are not allowed to work more than p/t so that the employer caps us to make sure they do not have to give us health insurance. They won't call us seasonal workers and yet they forbid us to work summers? We have no contract and we are not guaranteed work. We cannot get union representation because we do not work full time. We are told to not organize and go by the rules that are outdated where our employer gets the advantages and we suffer all the disadvantages.

Seems to me that there is a lot of gray and not all of us out here with overpayments should not be told to pay it back. I asked for a waiver due to hardship and was told by legal aid in Joplin that they cannot fight for advocacy of policy change as Missouri has not a waiver. So, I reported that to Region 5 in Chicago as U.S. DOL oversight. They said they can look into it, but this is supposed to be our entitlement benefits provided under the U.S. Constitution these are very particular as "protected funds" as per they cannot be cut or removed by Governors.

When the Governor says that mistaken people got funds. HE needs to realize I have told my Senator I have also reported what is occurring with Ben Terrell the liaison at DES and told him to make sure his Director Spencer Clark knows that this is systemic level issue which will require system changes the regulatory reform with the reasonable assurance issue what needs to happen but not only Missouri but for the Nation.

The substitute teacher is not qualified to receive a teaching certificate the substitute teacher is what we are and we have not a one representation on our behalf. I told Senator White to make sure that the Governor's Commission knows our plight. I e-mailed and earmarked to this concern sent to both Directors DOL & DES plus LIRC our employee commissioner KIKI Shalonn Curls.

Again, subs are not full time by districts all of them capping us to avoid health insurance they would have to provide us. The double standards that exist in our education-based industry are unfair practice and treatment of a minority group known as substitute teachers. We have no proper representation in field filled with lobbyists and we have no advocacy representation provision to represent our group no means to hear our plight. We are being stripped of our access to proper unemployment coverage via a broken system issue and denied access to our benefits per an over stretch of a very vague criteria interpretation known as reasonable assurance we are oppressed by the current stigma that reasonable assurance is perceived as applicable to our grouping which is clumped together to my knowledge federally at its root cause issuances. The current rule of reasonable assurance either need revised or thrown out as it is not applicable to our present-day status under the conditionals that the rule claims we met by contrast we are not as workers properly categorized. The situation is complex. But we are basically being held to a certified teacher's Calender year of employ and yet we do not hold that rank nor are we contract nor are we provide full time work nor are we offered health insurance nor are we obliged full time work even when we ask we are told no we are a capped status nor are we given same wage as salaried teacher nor are we given summer shifts when we ask for hours in the summer we are told none exist and yet I have proved in my appeal in 2015 that they do exist and that the administration of the employer are canceling the work offers I accepted on purpose. The state specifically labeled us a state employee and yet we can be hired by temporary agencies so that changes the coding in the system of DES. So there is direct hire and non-direct hire and that somehow also factors if we are eligible for our benefits. There is a state mediation board and I have asked to send that form in for opportunity to represent. No one called me back There are many of us in Joplin trying to organize. WE want it to be offered to all subs state wide to have proper representation in this scenario.

I have reached out to Federal level which includes Blunt and Hawley to see if indeed The U.S. DOL needs to supersede at their standards first to allow the states to follow suit in this pursuit for fairness and to bring long overdue regulatory reform at the Federal and at the state level.

P.S. In 2011 after the joplin tornado I had a DES rep at Joplin Job service specifically he was put in place there for helping people with unemployment. He saw to it that I received from May until the end of my claim term which was mid July 2011 he saw to it that I was approved as eligible for DUA disaster unemployment and my circumstances were the same as now I was as substitute teacher who was marked as not eligible for a regular claim during the summer due to reasonable assurance issue the

rep did a work around and achieved for me criteria to meet the standards instead for disaster unemployment that is why especially when I went to look that up reached out to Sheila at confidential information only to find the archives are lost can still prove I got that DUA cuz my taxes show it for that year. Why would I get DUA and not get PUA for now until proper reform can be done to remove the ineligibility cause by the reasonable assurance issue that needs fixed and lifted off the systemic level of substitutes' specifically is it wrong and not applicable.



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COMMITTEE: Special Committee on Government Oversight			
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: Brenda Kay Kelley		PHONE NUMBER: 417-437-1116	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 1810 Mountain Ash Drive			
CITY: Joplin		STATE: MO	ZIP: 64801
EMAIL: bcup9lives23@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/2/2021 12:00 AM	
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I am a substitute teacher, and I was paid unemployment during the Covid-19 school shutdown in the Joplin R-8 district.

In September, 2020, I was informed by the Unemployment Office that I was being required to repay some of the money, because, they claimed, substitute teachers do not typically work during the summer months. However, at the time I filed, I did not have any assurance that schools would ever reopen during the pandemic, and I was actively seeking other employment opportunities. I also reported job contacts outside of the Joplin school district during the disputed weeks.

An agent specialist contacted me by phone last week (1/27/2021) advising me to withdraw my appeal by email to "appealtribunal@labor.mo.gov", since she would be handling this issue for me (she said I would NOT have to repay this money back to the state / USG). This week, she returned my call, saying she was in error, and said that I should email the appeals tribunal again to reinstate my claim (Appeal # 2121971), which I sent this afternoon. Thank you for your help in this matter!! Please feel free to contact either me or my husband, Charles Brian Kelley 417-437-1110 if you have reason to contact us.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: SANDRA GRIFFIN		PHONE NUMBER: 3147376844	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 4752 GOETHE AVE			
CITY: ST. LOUIS		STATE: MO	ZIP: 63116
EMAIL: suregriffin@hotmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/2/2021 12:00 AM
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I am being asked to repay \$7,965 in unemployment compensation, which I cannot possibly do. I am a Teaching Artist who relies on summer school income (I typically earn twice as much during the summer as I do during a regular school semester.) Schools were closed this summer due to the pandemic and I could not teach summer school. My unemployment monies were used for living expenses from March until late October, when I was finally able to return to teaching in schools. I have no means to repay the money.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: LAURA KNESE		PHONE NUMBER: 314-706-1098	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 4028 APPLE VALLEY DRIVE			
CITY: ARNOLD		STATE: MO	ZIP: 63010
EMAIL:	ATTENDANCE:		SUBMIT DATE: 2/2/2021 12:00 AM
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ERICA EAKES		PHONE NUMBER: 660-748-5511	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 12333 BADGER STREET			
CITY: CAINSVILLE		STATE: MO	ZIP: 64632
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/2/2021 12:00 AM	
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: Suanne Stanley		PHONE NUMBER: 3143139313	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 245 Old Hwy 100			
CITY: Villa Ridge		STATE: MO	ZIP: 63089
EMAIL: tsunami6977@aol.com	ATTENDANCE: Written		SUBMIT DATE: 2/2/2021 12:00 AM
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I am a school bus driver for 24 years. When Covid hit I tried to file unemployment - and was denied! I was told as a school bus driver we had "reasonable assurance". I was told school bus drivers are always off for the summer - so no unemployment.

Reasonable assurance protects districts during NORMAL SCHEDULED BREAKS - such as summer or winter vacation. An EMERGENCY CLOSURE IS NOT AN ESTABLISHED AND CUSTOMARY VACATION OR HOLIDAY RECESS.

There was no reasonable assurance. Anytime I called and asked if school was starting in August, I was told "we don't know if or when school will start - it's closed indefinitely at this point".

The Cares Act was supposed to provide valuable relief to American workers facing unemployment, including unemployed workers who may not otherwise be eligible for regular unemployment insurance benefits; per U.S. Secretary of Labor Eugene Scalia.

There was no work. No summer school, no summer trips, no bus cleaning - NO ANYTHING!!

The money I'd normally get in the summer to pay bills and get me to the beginning of school DID NOT EXIST!

I had to go to food pantries and churches to get food to eat. I had to decide what bills to forego and what bills to be late on. I had to try and make deals with all my creditors.

The only money we had was my husband's disability. That is what we survived on.

To date - I still have not received any kind of Covid relief money. I have filed appeals. I have talked to multiple people. I know this hearing is regarding paying back unemployment that YOU THINK bus drivers don't deserve. Thousands of school bus drivers across Missouri depended on this money for food, rent and bills.

It would be great if I could still get the Covid relief unemployment as I am still playing catch up.
Thank you for your time,
Suanne Stanley



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER:		DATE: 2/2/2021	
COMMITTEE: Special Committee on Government Oversight			
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input checked="" type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: D'ANNE KHAZRAEINAZMPOUR		PHONE NUMBER: 816-671-9611	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 3703 DURHAM COURT			
CITY: ST JOSEPH		STATE: MO	ZIP: 64506
EMAIL: Dkhazraei@hotmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/2/2021 12:00 AM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

I am a substitute teacher from Buchanan County. I applied for unemployment in March and began receiving benefits. I had never applied for benefits before in Missouri. I was informed in December that I now owe 7400.00 and that I was paid in error because I knew I was going back to school!

First off, I did not know I was going back to school, whether they would be open or if I wanted to risk my health for the job. I followed all the requirements and was even hired by USPS as a part time rural mail carrier, but that job offer was later rescinded, due to cuts. I then accepted a position at a high school as a full-time substitute which I felt would be better considering I would have sick time and benefits vs. at will substitute teacher.

I have appealed the overpayment claim, but was told it was too late! I never received any notice by mail of this, nothing until I saw an email in December in my junk file. You only get one notice, and then you have 30 days to appeal, that's it?!

I have spent this money and find it unethical the state blames me for their error, stating that I was overpaid because I was going back to school in August!? I do not have a contract with the school district and I did NOT know if school was going to reopen. How is this my fault!?

I hope you come to a just conclusion and remove this burden from school employees due to no fault of their own!

Thank you,

D'Anne Khazraeinazmpour



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER:		DATE: 2/2/2021	
COMMITTEE: Special Committee on Government Oversight			
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input checked="" type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: Santaisha Laster		PHONE NUMBER: 3142404747	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 9037 Guthrie Ave			
CITY: Berkeley		STATE: MO	ZIP: 63134
EMAIL: santaishalaster@yahoo.com	ATTENDANCE: Written		SUBMIT DATE: 2/1/2021 3:29 PM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

Hi I'm Santaisha Laster a single mom & have a 4 y/o with a disability who had surgery 09/2020 and a 5y/o in virtual learning I am the primary caregiver. Working with childrens division to find my son a theaputic pre school because Of his disability. I attended nursing school 09/19-08/20 and unable to work after March due to COVID-19 public health emergency. I got aprooved for Unnemployment benefits in April then recived letter of overpayment in August of \$12,000 I'm still unemployed and dont understand why this is happening to my family. I only made \$17,000 in 2019 and don't have any way to pay them back. I'm facing homelessness due to Covid and will loose our vehicle. My son sees a psychologist and therapist 5x a week. Please help if you can, Thank you. I have a hearing for my appeal on 01/26/2021 9am. Ive reached out to Legal services, news oulets and State Reps. But was told the appeal rep that my hearing was seperate from the overpayment issue because the appeal was for Finding Facts on behalf of if I recived the Unnemployment benefits for a good cause or not. I received a second call afterwards about overpayment issues and was told that because I didnt fill out a voluntarily quit form that I was liable to pay back the \$12,000 and the monthly payments will keep accruing. But I the Rep agreed that I never lied about anything and uploaded docs pertaining to my Unnemployment Application and if I wasnt eligible I should have just been denied but instead, they aprooved me and now I'm being told that I have to pay the money back. I dont believe that this is my fault at all and I was told to write a letter and fax it to unnemployment appeals on behalf of why I feel like their decision of overpayment is inaccurate.



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER:		DATE: 2/2/2021	
COMMITTEE: Special Committee on Government Oversight			
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input checked="" type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: MARISSA CROZIER		PHONE NUMBER: 6362198001	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 3270 VOLO AVE			
CITY: ST. LOUIS		STATE: MO	ZIP: 63139
EMAIL: rissacrozier@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/2/2021 12:00 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

My name is Marissa Crozier and I work in the theatre industry in St. Louis. In March of 2020, I was laid off by my employer, St. Louis Community College due to the Covid-19 pandemic. I normally work this position from January - June and August - November every year. In June and July, I work for other theatre companies, such as Opera Theatre of St. Louis and The Muny and I also freelance for other companies throughout the year. All of the companies I normally work for have closed temporarily due to the pandemic. In 2020, I received unemployment benefits from March until August. In September, I received notice from the Division of Employment Security that the weeks that I claimed in June, July and August were denied. I appealed the denial and received a notice that my appeal was received and that I should wait to be notified of a hearing date for my appeal. I am still waiting on this hearing date. In the meantime, I have received letters informing me that I owe back the state of Missouri almost \$8000 and my subsequent claims for unemployment have been kept to pay back what I owe. I firmly believe that I am entitled to that money because I was unable to work due to the pandemic. My entire industry has been shut down for the foreseeable future and I need that assistance to keep the lights on. Thank you for your time.



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

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COMMITTEE: Special Committee on Government Oversight			
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input checked="" type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: Debra Howard		PHONE NUMBER: 6366644446	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 601 Bristol Ct			
CITY: Villa Ridge		STATE: MO	ZIP: 63089
EMAIL: imdebra@charter.net	ATTENDANCE: Written		SUBMIT DATE: 2/2/2021 12:00 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

My name is Debra Howard, I received a letter from unemployment saying I owe them over \$11,000 for claims from June 2020 through September 2020 because I had reasonable assurance being a bus driver with a school district. I received a notice saying I had to appeal by January 29, 2021. I appealed sending my letter in on January 15, 2021. I checked my tracking number and that letter is lost somewhere in South Dakota when it was supposed to be going to Jefferson City Missouri. So I overnighted copies of my appeal today explaining and I included my Usps tracking number for proof the original appeal was postmarked 1/15/2021. In my appeal I explained that I did NOT Have reasonable assurance due to COVID-19. Also I lost summer work because of COVID-19. Our school district did not know for sure when we will return until the end of August. Our union Teamsters lobbied for us to get unemployment benefits because of the pandemic. I claimed every week and was approved every single week for unemployment benefits. I do not feel that I owe this money back. I hope you can help resolve this issue for not only myself but my coworkers, peers and all those that are wrongly receiving overpayment bills. Thank you, Debra Howard



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

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COMMITTEE: Special Committee on Government Oversight			
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input checked="" type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: Garry Ward		PHONE NUMBER: 8165205557	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 201 west 13th st			
CITY: Lawson		STATE: MO	ZIP: 64062
EMAIL: gewardii@yahoo.com	ATTENDANCE: Written	SUBMIT DATE: 2/2/2021 12:00 AM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

I was forced to draw unemployment shortly after the pandemic started. I filed electronically until I found new work. Now im receiving letters from unemployment that say I was overpaid and are now threatening to garnish my wages. They have sent different dates and inconsistent amounts that they want me to pay. I can't get through to anyone on the phone. I have also had my employer send letters providing information on my unemployment dates but they are still sending letters threatening me. We have our first baby on the way and I don't have an extra 900 laying around. I don't know what else to do or who to contact.



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

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COMMITTEE: Special Committee on Government Oversight			
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input checked="" type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: Janeen Osborne		PHONE NUMBER: 636-284-0655	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 242 birchleaf Dr			
CITY: Saint Peters		STATE: MO	ZIP: 63376
EMAIL: silvertab074@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/2/2021 12:00 AM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

My husband and I are school bus driver for the Rockwood School District. We received unemployment benefits during the summer months of 2020 and am now being asked to repay those benefits. (total 21,240) We are filing an appeal. The reason they are giving us is unintentional error or omission on our part. I am unsure how we will repay over \$21,000.

Our Teamsters Local 610 Union Rep. told all of the drivers to apply for unemployment, stating we were covered under the Cares Act. So naturally when we were approved, I assumed everything was good.

We went on spring recess on March 16th 2020 and did not return for the remainder of the school year. We did receive furlough pay but it wasn't equal to what we would have made if school was in session and were unable to save any money for the summer months. Our savings is a small portion of what we rely on to pay bills in the summer. We both work 99 percent of the summer for the school district driving summer school routes and field trips. In addition, my husband lost his gig work for Uber and Lyft. So no money was saved and no money was earned. When the new school year was slated to start (8/24/2020) we were again receiving furlough pay and continued until they started introducing students back to class at the end of September. No money was received from unemployment while we were receiving furlough pay. Only during the summer months when we would have been working summer school and field trips that did not happen because of Covid. The unemployment payments kept our bills paid and food on the table. I can not imagine where we would be right now if we had not received it.

Thank You for your time
Janeen Osborne



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

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COMMITTEE: Special Committee on Government Oversight			
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: Amanda Privitera		PHONE NUMBER: 9134812785	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 3214 45th Street			
CITY: Des Moines		STATE:	ZIP: 50310
EMAIL: aprivitera917@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/2/2021 12:00 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

My name is Amanda Privitera. I wanted to reach out about Missouri Unemployment overpayments. I owe almost \$6,000 for overpayments due to "unintentional error or omission on your part." My benefits ended in July and I received notification in January. Apparently, they sent me correspondence through UInteract, but I was not notified via email. They did not provide any explanation as to why. I worked part-time during my period of unemployment, which I documented each week. I've called the unemployment office every day for months and have never been connected. I am unable to file an appeal in my account, as well.

I am a social worker and \$6,000 is a large chunk of what I make yearly. I don't know who to reach out to about this issue or how to get it resolved. It is causing significant stress on my mental health and physical health.



MISSOURI HOUSE OF REPRESENTATIVES
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TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: James Garrett		PHONE NUMBER: 314-504-2836	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 9202 Gedde Ave.			
CITY: Saint Louis		STATE: MO	ZIP: 63134
EMAIL: jsmoke6484@yahoo.com	ATTENDANCE: Written	SUBMIT DATE: 2/2/2021 12:00 AM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

Dear Representative Raychel Proudie

Overpayment And Reasonable Assurance

I'm writing you because I'm truly troubled and burdened by Mo. unemployment overpayment situation ,I am the sole provider for my family I am school bus driver for Ritenour School district which is in St. Louis county who was out of work due to the Covid-19 pandemic so I had to try to survive and I called MO. Unemployment office to apply for PUA pandemic unemployment assistance I was told by the agent that I qualified regular unemployment I asked her was she sure because I wanted to be sure and she assured again that I was qualified for regular unemployment and that's how I'm in this awful situation at no fault of my own i have no way of paying \$9258.00 so I'm asking for assistance in this matter .I have filed An Overpayment Appeal and also a Reasonable Assurance Appeal

The Reasonable Assurance portion of my appeal is this, I didn't have reasonable assurance to when or if I would return to work I didn't it have in writing or verbal there is no protocol or guidelines in this matter, the pandemic came unpredictable and the outcome and circumstances are still unpredictable
Thank You



MISSOURI HOUSE OF REPRESENTATIVES
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ANGELA HAYS		PHONE NUMBER: 314-630-1967	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 2051 THE WOODS CIRCLE			
CITY: BARNHART		STATE: MO	ZIP: 63012
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/2/2021 12:00 AM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

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COMMITTEE: Special Committee on Government Oversight			
TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input checked="" type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: Sue Greenberg		PHONE NUMBER: 314 914-7242	
BUSINESS/ORGANIZATION NAME: ST. LOUIS VOLUNTEER LAWYERS AND ACCOUNTANTS FOR THE ARTS		TITLE: Executive Director	
ADDRESS: 3301 Washington, Ste. 2E			
CITY: St. Louis		STATE: MO	ZIP: 63103
EMAIL: vlaa@vlaa.org	ATTENDANCE: Written	SUBMIT DATE: 2/2/2021 12:00 AM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

Chairman Taylor, Rep. Proudie, and members of the government oversight committee, thank you for holding this hearing. The House must take immediate action that would require the Department of Labor to waive collecting overpayment of unemployment benefits in cases where the claimant is not at fault or if repayment would be contrary to equity and good conscience. States are granted this right in the Consolidated Appropriations Act of 2021.

My testimony is based on my long career as an arts worker and advocate. I have served as the executive director of the St. Louis Volunteer Lawyers and Accountants for the Arts (VLAA) since 1986. VLAA invests in Missouri artists, creative businesses and cultural organizations by providing quality pro bono direct legal and accounting services, sponsoring ongoing educational programs and supporting initiatives that nurture our vibrant cultural ecosystem. Together with our colleagues at Kansas City Volunteer Lawyers and Accountants for the Arts, we provide services to the entire state.

Covid-19 is having a devastating impact on Missouri's cultural sector, beginning with cancelled gigs and venue closures in March. Artists — especially performing artists — will be the very last back to work; the challenges of keeping audiences, casts and crews safe have pushed production schedules well into 2021.

We've heard from musicians, actors, teaching artists, filmmakers and other creatives who applied — in good faith — for traditional, PUA and PEUC unemployment benefits so they could pay their rent and put food on their tables. They were surprised and frightened when they received letters from the Division of Employment Security claiming that they were ineligible for benefits and demanding repayments ranging from \$2,000 to \$8,000. With all due respect, would you or your neighbors be able to repay \$8,000, navigate an unfamiliar appeals process or sleep at night knowing that future wages will be garnished?

Fraud should be proven, not assumed. Empathy is always important, but it is particularly vital during a public health crisis. Congress made this very clear.

Finally, please ask Ms. Hui about the DOL's timeline for implementing Mixed Earner Pandemic Unemployment Compensation (MEUC), which was signed into law on December 27, 2020. This benefit is designed to provide financial assistance to arts workers, gig workers, freelancers and other self-employed individuals who receive artificially low unemployment benefits due to part of their income

coming from W-2 wages. Missouri should ensure that these workers receive the assistance they need.

Thank you for the opportunity to submit this written testimony.



MISSOURI HOUSE OF REPRESENTATIVES
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TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input checked="" type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: DAVID ROBINETTE		PHONE NUMBER: 314-704-4811	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 1739 SCHULTE HILL DRIVE			
CITY: MARYLAND HEIGHTS		STATE: MO	ZIP: 63043
EMAIL:	ATTENDANCE:		SUBMIT DATE: 2/2/2021 12:00 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

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TESTIFYING: <input type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input checked="" type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: Serena Turner		PHONE NUMBER: 3143638260	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 3955 Geraldine			
CITY: Saint Ann		STATE: MO	ZIP: 63074
EMAIL: jturner9023@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/2/2021 12:00 AM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			



MISSOURI HOUSE OF REPRESENTATIVES
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: SCOTT FREDERICKS		PHONE NUMBER: 7087053528	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS: 210 ABINGTON DRIVE			
CITY: SAINT PETERS		STATE: MO	ZIP: 63376
EMAIL: isusox13@gmail.com	ATTENDANCE: Written	SUBMIT DATE: 2/2/2021 12:00 AM	
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

Through no fault of my own, during a trying time that this pandemic has caused, I received overpayment of benefits while unemployed. It has caused financial and emotional stress dealing with the idea that I will have to pay this money back in full. It was my first time claiming unemployment. I have worked my entire life and did not want this, but I had no choice. The state has ruined many lives and continues to do so because of their negligence. I was collecting unemployment because my profession had been shut down. There was no guarantee my Employment was resuming. When I found out it was, I stopped collecting with more funds available to me. But I was honest. My requests were APPROVED for multiple weeks. Other states are waiving this hardship and Missouri should, too. In addition, the state wants me to pay back the overpayment \$7,299 when in fact I received \$6,300 after taxes? Why am I required to pay more than I received?

A lot of questions need to be answered. The failure of the system and department should not ruin people's lives.

Appendix B: Handouts Provided at the Public Testimony by Director Hui

(See attached Documents)

PRESENTATION TO MEMBERS OF
THE HOUSE GOVERNMENT
OVERSIGHT COMMITTEE

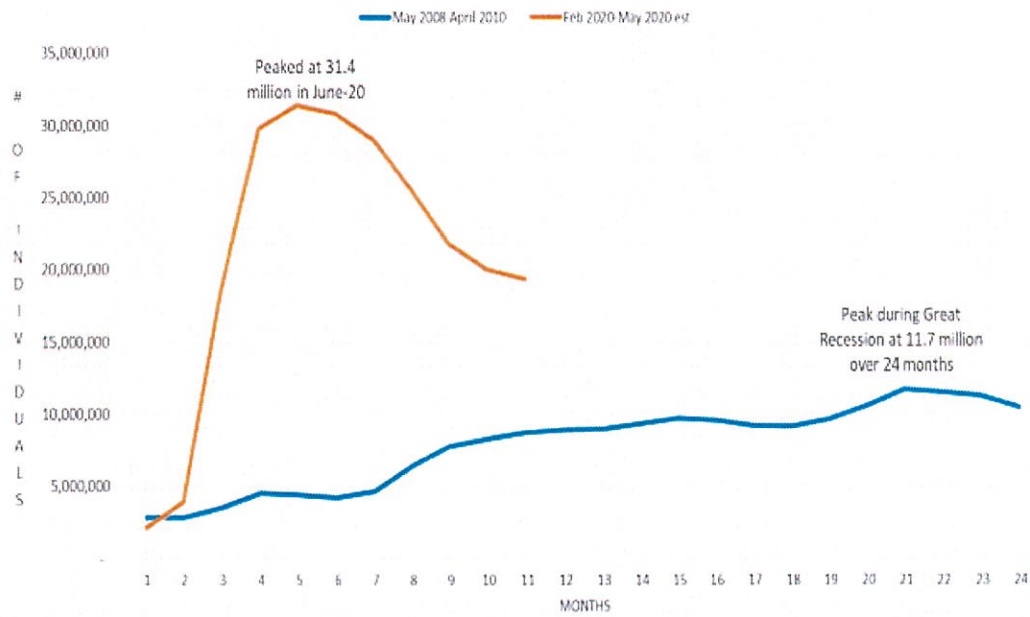
**Overview of the Unemployment Insurance Program
in the Wake of the COVID-19 Pandemic**

February 2, 2021



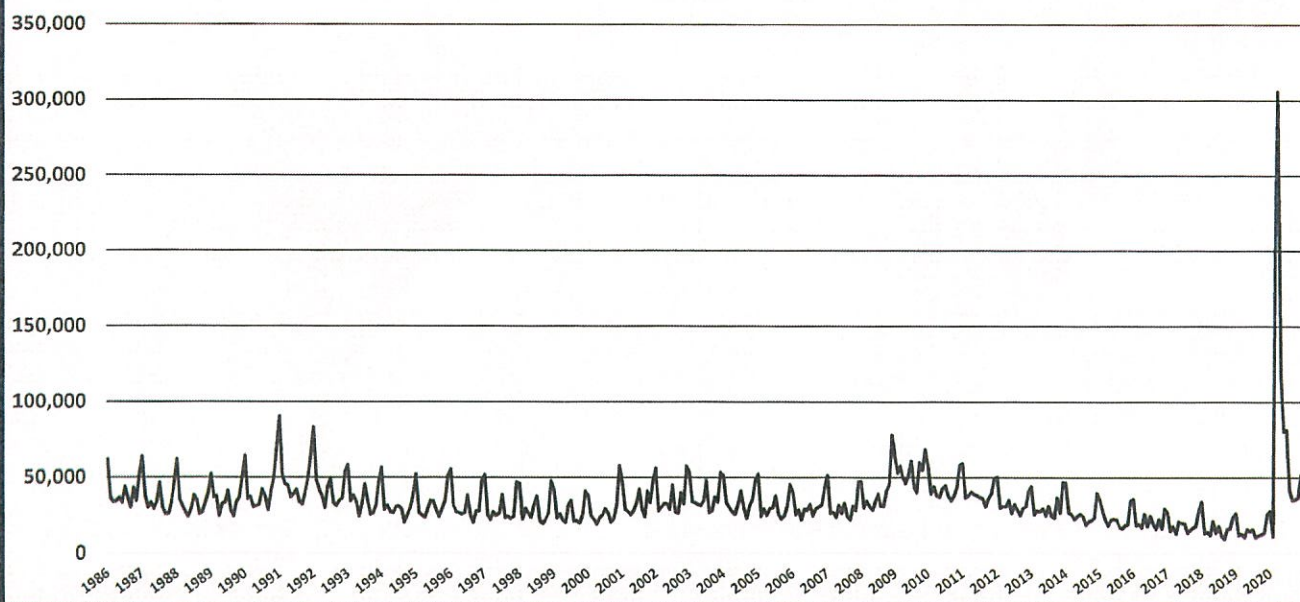
Claims Tsunami Floods the U.S.

of Individuals Paid Unemployment Compensation (weekly average/month)



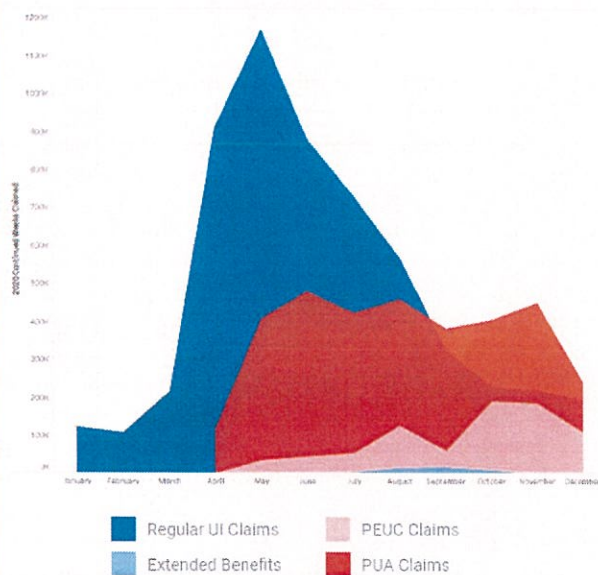
MISSOURI MONTHLY INITIAL CLAIMS

1986-2020

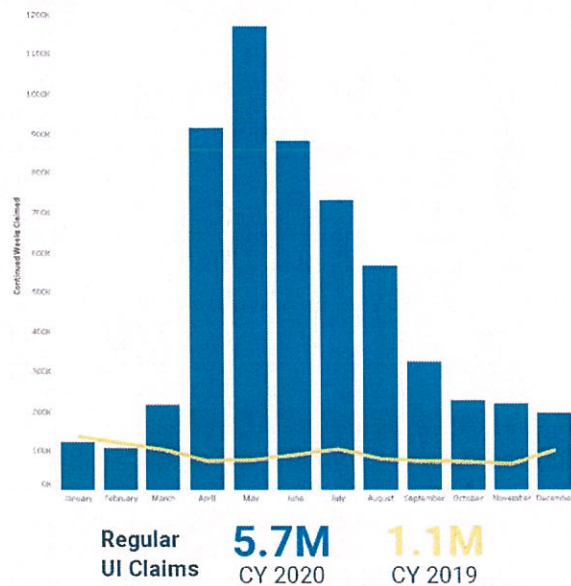


Pandemic Impact on Unemployment Insurance | Claims In • Benefits Out • Workload

TOTAL CLAIMS PROCESSED
CY 2020



REGULAR UI WEEKLY CLAIMS PROCESSED
CY 2020



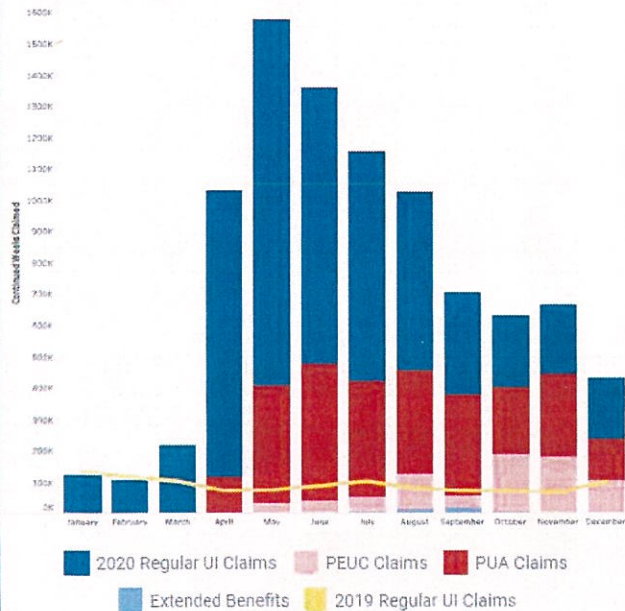
Regular UI Claims **5.7M** CY 2020 **1.1M** CY 2019

Data Sources: U.S. Department of Labor; ETA Reports 5159, 2112, 539, and state LWA data.



REGULAR UI WEEKLY CLAIMS PROCESSED

CY 2020 vs CY 2019



Data Sources: U.S. Department of Labor, ETA Reports 5159, 2112, 539, and state LWA data. Amounts rounded to the nearest tenth.

BENEFITS PAID

CY 2020

CY 2019

Regular UI Claims

Total benefits paid

\$1.2B

\$235.9M

Pandemic Unemployment Assistance (as of 11/30/20)

\$334.6M

\$0

Federal Pandemic Unemployment Compensation (as of 11/30/20)

\$3.0B

\$0

Pandemic Emergency Unemployment Compensation

\$217.7M

\$0

State Extended Benefits

\$13.0M

\$0

Sub Total

\$4.8B

\$0

Lost Wage Assistance

\$297.0M

\$0

All Claims

Total Benefits Paid

\$5.1B

\$235.9M



OVERPAYMENTS

An overpayment occurs when a claimant for unemployment insurance receives funds they were not legally eligible for.

DES conducts a thorough review where both the employee and the employer are given the opportunity to present evidence. If it is determined that benefits were paid to a claimant who was not eligible, state law requires that the payment of funds from the state trust fund be repaid.



TIMING OF UI PAYMENTS

The U.S. Supreme Court has stated that “[p]robably no program could be devised to make insurance payments available precisely on the nearest payday following the termination [of employment], but to the extent that this was administratively feasible, this must be regarded as what Congress was trying to accomplish.” Calif. Dep’t of Human Resources Dev. v. Java, 402 U.S. 121, 130 (1971).

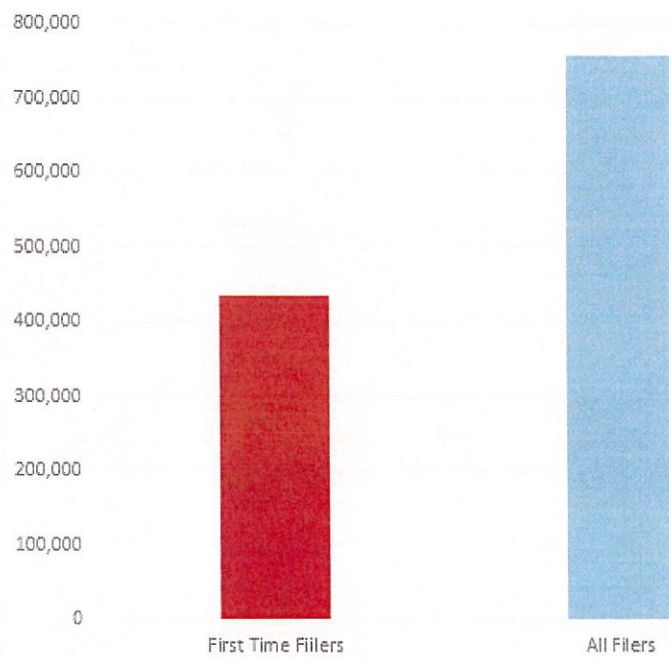
Federal law requires the State to make payments “with the greatest promptness that is administratively feasible.” 20 CFR 640.3(a).

State law also requires the State to pay benefits promptly. Section 288.070.7, RSMo.

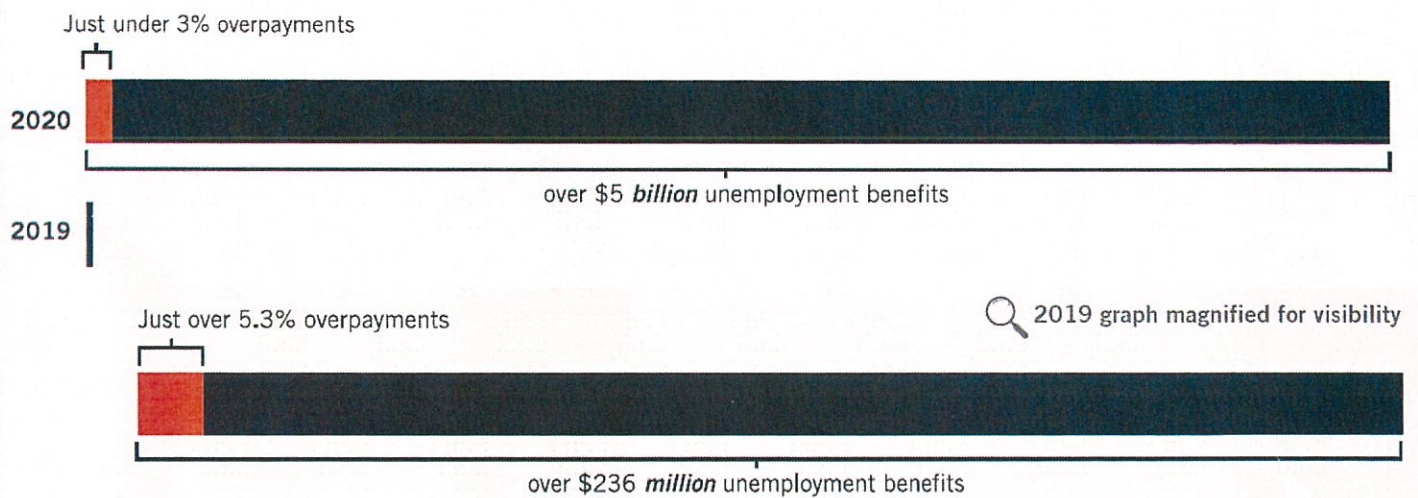
Because the law requires a prompt determination (the federal standard is 14 days), some small percentage of claims will inevitably be overpaid.



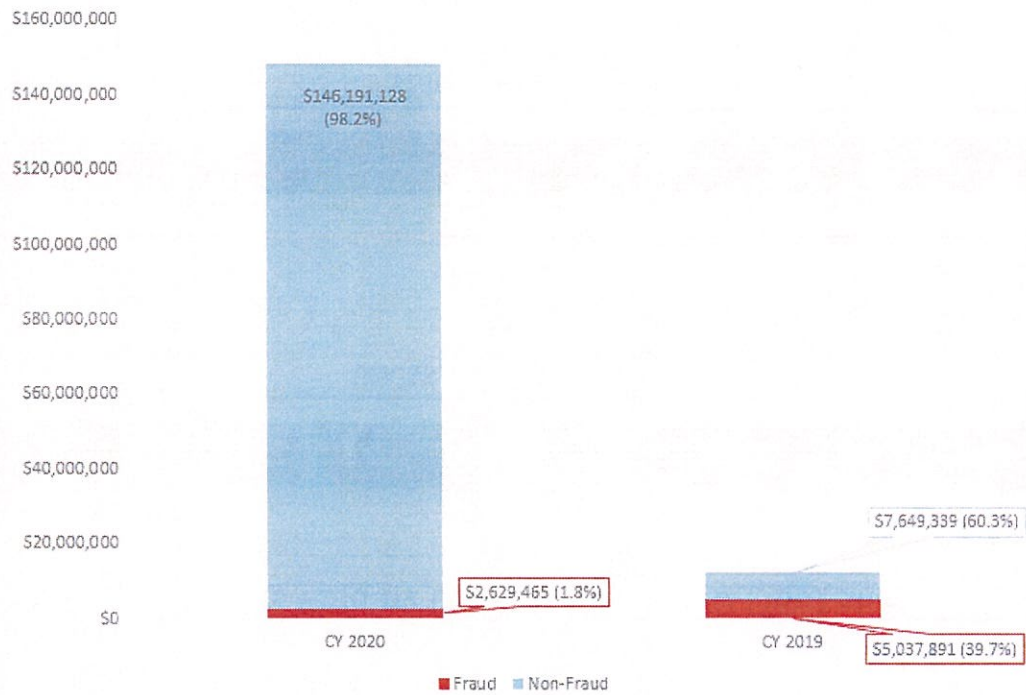
CY 2020 Missouri Unemployment Claims



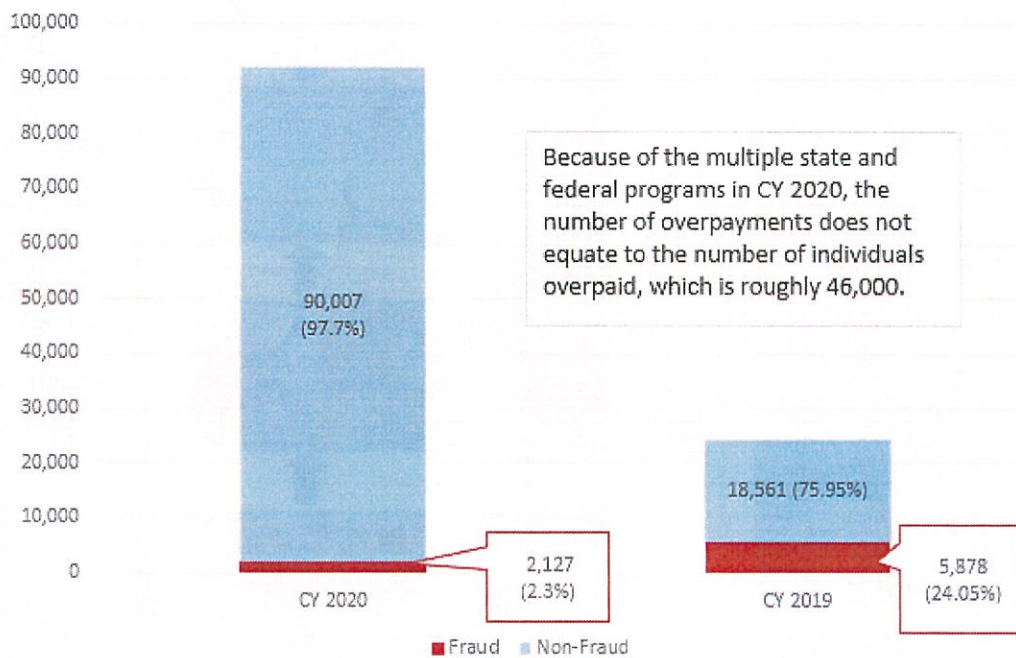
Unemployment Benefits Paid by DES Jan-Dec 2020 (Top) and 2019 (Bottom)



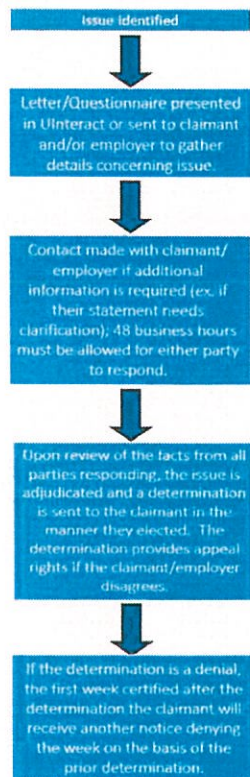
Total Dollar Fraud and Non-Fraud Overpayments Established



Number of Fraud and Non-Fraud Overpayments Established*



How is someone notified of an issue on their claim and how many times are they notified?



Claimants may check claim status, any pending issues and any decisions 24/7 in UInteract; additionally the automated phone system can provide status information when there is a pending issue.



How is someone notified of an overpayment and how many times are they notified?

Determination of Overpaid Benefits is sent to the claimant; includes appeal rights.



Billing statements continue as long as an outstanding overpayment balance remains. The frequency depends on overpayment type and the amount that is outstanding.



After the first billing statement is issued, claimants with a non-fraud overpayment balance that is less than \$500.00 will receive a statement every six months.

or

Claimants with a fraud overpayment/penalty balance or a claimant error, non-fraud balance of \$500 or more will receive a statement every other month.



CONCLUSION

When it comes to paying back an overpayment, DES is required by state statute to collect overpayments of state money (i.e. regular UI benefits paid from the state trust fund).

DES works with individuals on payment plans. If someone sets a payment plan, and they stick with it, there will be no liens or garnishments made against them.

Additionally, non-fraud overpayments have no penalties or interest of any kind.



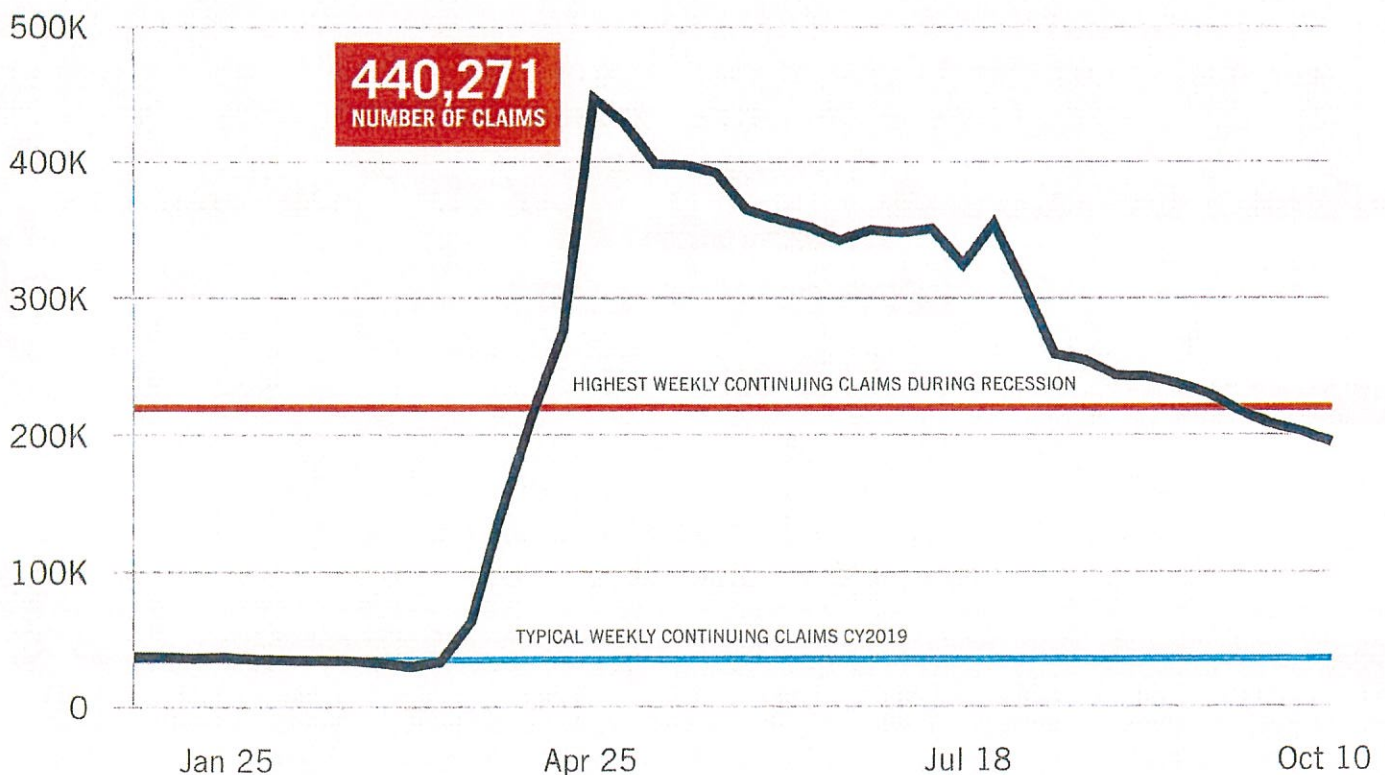
UNEMPLOYMENT INSURANCE LEGISLATIVE UPDATE

Since March 15, 2020, DOLIR saw an unprecedented increase in unemployment claims, which has pushed the whole Department to live up to its motto: **Working Better Together**

Over the past six months, we saw our daily call volume increase from **less than 10,000** to **over 140,000** on April 13, 2020.

On April 25, 2020, our number of weekly claims for unemployment insurance reached **440,271**.

CONTINUED WEEKLY REQUESTS FOR UNEMPLOYMENT INSURANCE (ALL PROGRAMS)



WHAT WE'VE DONE TO ADDRESS THIS VOLUME...

We were able to institute **high tech customer service** features like



call scheduling

and



a virtual assistant

WE IMPLEMENTED MULTIPLE FEDERAL PROGRAMS IN A MATTER OF WEEKS,

that have provided over **535,000** unemployed Missourians with more than **\$4.6 billion** in unemployment benefits.

DOLIR was the **3rd state** in the country to implement the **Lost Wages Assistance Program**, part of the President's August 8, 2020, Executive Order.

WE HAVE PULLED IN STAFF

from all over the Department and other state agencies to assist the Division of Employment Security with their increased workload, and we've contracted to bring in hundreds of staff. From the Division of Employment Security alone, **our staff worked over 34,600 hours of overtime** to help meet the needs of Missouri citizens. **That's an extra 4,325 workdays in the last six months.**

THIS LED TO...

ZERO CALL DEFLECTS.

DES HAS RECEIVED TWO NATIONAL AWARDS

for Excellence in Benefit Payments and Excellence in Integrity for the last fiscal year. **This is the first time Missouri has received these nationally competitive awards.**

DOLIR did all of this while balancing a move to remote work, to ensure continued service to Missourians in their time of need. We did this while focusing on our mission: **Promoting economic vitality, safety, and fairness for Missouri's businesses and workers.**



LABOR.MO.GOV/DES

WHAT ARE **OVERPAYMENTS?**

The establishment and collection of overpayments is part of the Division of Employment Security's (DES') efforts to prevent fraud and waste in an employer-funded (as is the case with Regular unemployment) or a federally-funded unemployment program, as well as to ensure that benefits are available to those who are eligible for them.

There are two types of overpayments:
fraud & non-fraud...

Fraud overpayments occur when an individual makes a false statement, purposely gives incorrect information, or intentionally withholds information to receive benefits. Examples of this would be stealing someone's identity and using that to apply for benefits or returning to work and continuing to file for benefits and not reporting wages when earned.

A **non-fraud overpayment** occurs when an individual receives benefits they were not eligible for but the DES finds that the individual is not at fault or did not intentionally give false information or withhold information to receive benefits. Many of these overpayments occur because a claimant has not

provided all information relevant to their claim. Additionally, Federal law requires unemployment payments to be made with the greatest promptness that is administratively feasible. The USDOL established a benefit payment promptness criteria of 14 days from the end of the first week of benefits payable. Sometimes additional information is received after the initial determination is made that affects a claimant's benefit eligibility. This new information may result in an overpayment. Examples of new information from claimants and employers may include misreported wages, new employment separation information, or new eligibility issues.

OVERPAYMENT DUE PROCESS

When a claimant has an overpayment, it is important he/she **follow the instructions on the determination or speak with Division staff** to determine the next steps. If a claimant disagrees with an overpayment determination, they have the right to appeal this decision. The appeals process is listed on all determinations.

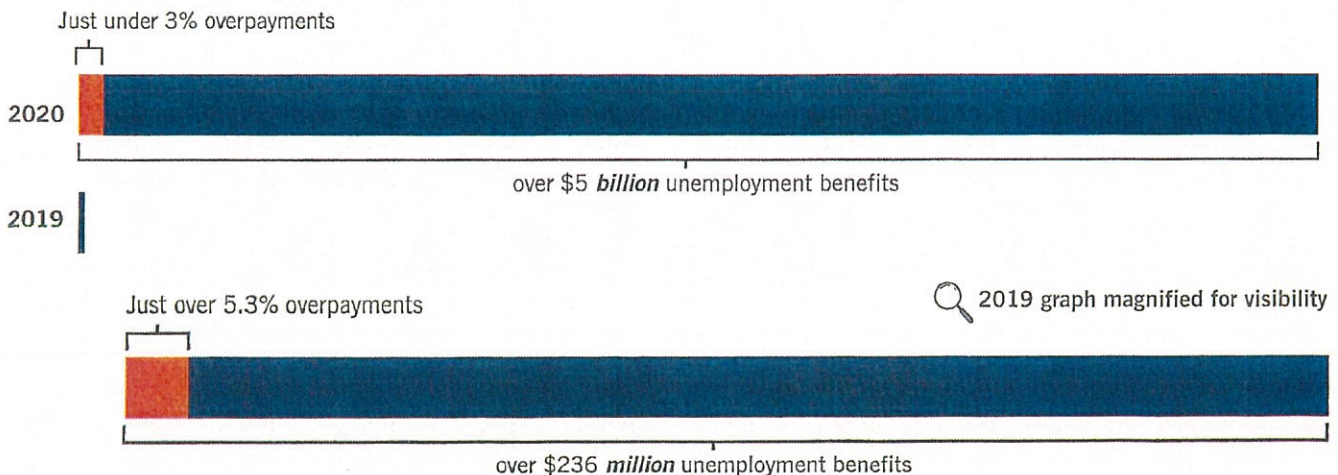
REPAYING AN OVERPAYMENT

Claimants have to repay their overpayment and can do so outright or through a flexible payment plan. **Fraud overpayments do incur mandatory penalties, but non-fraud overpayments have no penalties.** Non-fraud overpayments are subject to offset of future unemployment benefits. **Fraud and Non-fraud overpayments are subject to liens, garnishments, state income tax intercepts, federal tax intercepts, and lottery winnings intercepts.** A claimant can work with the DES to develop a payment plan. If a claimant sets up and complies with the payment plan, they will avoid all liens and garnishments. **State statute requires overpayments resulting from state unemployment benefit payments to be repaid.**

CURRENT OVERPAYMENTS

In calendar year 2020, the DES has paid over \$5 billion in unemployment benefits. Of this amount, just under 3% are overpaid benefits. The federal standard for overpayments is to be less than 10%. While the operational percentage is relatively low, the Division works with individual claimants with overpayments on resolution to reduce impact on future benefits. Additionally, many states are not reporting their overpayment data or not processing claims at the same rate which means a state-by-state comparison would be inaccurate.

Unemployment Benefits Paid by DES Jan-Dec 2020 (Top) and 2019 (Bottom)



INFORMATION FOR WORKERS



DIVISION OF EMPLOYMENT SECURITY

uinteract.labor.mo.gov

What You Need to Know About Unemployment Insurance in Missouri

After filing your initial claim for unemployment benefits, follow the steps below. **You must:**

1. **File** a weekly request for payment after each week has ended, including the week in which you filed the initial claim. Unemployment weeks begin on Sunday and end midnight Saturday. File your weekly request for payment online anytime using UInteract.
 - When filing your weekly request for payment, have your user name and password ready. **Do not share your password with anyone.**
 - Report your total earnings before taxes for full, part-time and temporary work between Sunday and Saturday including any vacation, holiday, or Worker Adjustment and Retraining Notification (WARN) pay regardless of whether or not you have been paid.
 - If your total earnings do not exceed your weekly benefit amount, you may still be eligible for reduced benefits for the week.
 - The weekly request for payment must be made within 14 days of the week ending date of the week you wish to request or the week will be denied.
 - **If you regain full-time work, stop filing. Working and not reporting earnings is fraud and may have legal consequences.**
2. **Search** for work. You are required to complete at least three work search activities each week unless directed otherwise. If you are a union member with a hiring or referral hall, contacting your hall for the required number of work search activities is acceptable.
 - Keep your work search activity record up to date. Go to uinteract.labor.mo.gov and select **Weekly Request For Payment ▶ Enter Work Search Details**. The Work Search Activity Details screen displays. Click the **Save** button after each work search activity is entered. Failure to make three work search activities may result in the denial of benefits.

3. **Visit** jobs.mo.gov at least once a month. You will receive a letter if you are required to participate in a Reemployment Services and Eligibility Assessment or to provide proof of identity. To reduce the time you will need to spend completing Reemployment Services and Eligibility Assessment, you can go to app-jobs.mo.gov to pre-register in MoJobs prior to your appointment.

At jobs.mo.gov you can create your resume and begin searching through thousands of jobs posted statewide. Follow @JobsMoGov on Twitter to see real time job postings.

How to Qualify

- You lose your job through no fault of your own OR quit for a valid reason related to the work or the employer.
- You must earn at least \$2,250 (at least \$1,500 during one of the calendar quarters, and at least \$750 during the remainder of the year) from an insured employer during your base period. See below.
 - ▶ AND your total base period wages must be at least 1.5 times your highest quarter wages.
- OR you must earn at least 1.5 times the taxable wage base during at least two of the four quarters.

Base Periods:

**If your claim
begins on a
Sunday between:**

Jan. - March
April - June
July - Sept.
Oct. - Dec.

**Your base period is
the prior twelve month
period as shown:**

Oct. - Sept.
Jan. - Dec.
April - March
July - June

Important Note: Failure to complete any of these requirements may result in denial of benefits.

Special Notes:

- To remain eligible, you must report all wages earned each week, even if you will not be paid until later. This includes tips, commissions, bonuses, show-up time, military reserve pay, board, and lodging.
- You must continue to look for and be able and available for work each week, meaning no illness, injury, or personal circumstances that would keep you from working.
- Refusing an offer of work may result in denial of benefits.
- If your income for the week is from self-employment or National Guard drill, contact DES to receive instructions on how to file weekly requests for payment.
- If you have earned wages in another state, worked for a federal employer, or had active military service in the last 18 months, you may be able to use these wages to help establish a claim or increase your weekly benefit amount (WBA) or maximum benefit amount (MBA). If you did not inform DES about these wages at the time you filed the initial claim, contact your Regional Claims Center (RCC) as soon as possible.
- Any information provided during the claims application process may be subject to verification through computer matching programs.

Benefit Amount

- Your WBA is four percent of the average of your two highest quarters during the base period (highest quarter + second highest ÷ 2 x 0.04 = WBA). Missouri's maximum WBA is \$320.
- Your MBA is the most you can receive in a benefit year. It is 20 times your WBA, or one-third of your base-period earnings, whichever is less. Wage credits each quarter are limited to 26 times your WBA.
- Once eligible, Missouri's regular state unemployment insurance program allows claimants to draw benefits until the benefit year ends (52 weeks) or they have exhausted their MBA.



To avoid withdrawal fees when using the debit card, you can choose to get cash back when making a purchase at many retailers and grocery stores. You receive one free

withdrawal per calendar week from a non-Allpoint or Central Bank ATM. You will then be charged \$2.00 each time you withdraw. The ATM owner also may charge you a service fee for any transaction. Alternatively, you can also take the card to a teller at any Central Bank branch location or any bank or credit union displaying the MasterCard acceptance mark for a cash advance. The advance carries a \$5.00 fee. To find out if your bank accepts MasterCard, contact it directly. All purchase transactions are free.

Ways to Receive Benefits

1. **Direct Deposit:** Money is sent directly to your checking or savings account. You can choose this method at any time by logging into UInteract and clicking Benefit Maintenance, then Update Claimant Profile.
2. **Missouri Access MasterCard®:** If you do not choose to use direct deposit, you will automatically receive your benefits on the Missouri Access debit card. It will be mailed to you within two weeks with instructions. **The card will arrive in a plain, unmarked envelope** with the return address: P.O. Box 779, Jefferson City, MO 65102-0779. If you do not receive the card within two weeks or if it was lost or stolen, call Missouri Access at 888-775-3445. Please see blue box below for important details.

When to Expect Benefits

If DES determines that you are eligible, payment can take up to 22 days after filing your initial claim. Benefits will not always be paid on the same day each week, and DES will not mail you a notice when benefits are paid.

If you were separated from your job for any of the following reasons, DES will conduct an investigation:

- Quit-Resigned
- Discharged-Fired
- Suspended
- Leave of Absence

Continue filing weekly requests for payment until the matter is resolved.

Tracking your Claim and Benefits

Log into UInteract ▶ Inquiry ▶ Benefits ▶ Claimant/Claim Inquiry

Payments made to a Missouri Access MasterCard® debit card are normally available on the card after 5:30 p.m. on the date payment is made, if made Monday-Friday. Payments made to the debit card on Saturday are usually available after 5:30 p.m. on Monday. If payments are made directly to your checking or savings account, you must check with your financial institution to see when benefits may be available.

You can check your payment history using UInteract. You may also access card information including your balance by going to mo-access.com or by calling the Missouri Access Automated Voice Response line at 888-775-3445. You are allowed one free automated call per week and will be charged 50 cents per automated call after that.

Payment information is normally available within two business days after you file your weekly request for payment.

The Appeal Process

You may be disqualified if you have been discharged for misconduct connected with work, quit for reasons not attributable to the work or your employer, or refused a suitable work offer. You also may be ineligible due to insuffi-

in any WIOA Title I-financially assisted program or activity.

The recipient must not discriminate in any of the following areas: deciding who will be admitted, or have access, to any WIOA Title I-financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity.

Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

What to do if you Believe you have Experienced Discrimination:

If you think that you have been subjected to discrimination under a WIOA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

Jennifer Terry, Equal Opportunity Officer
Department of Labor and Industrial Relations
P.O. Box 510, Jefferson City, MO 65102-0510
Phone: 573-751-1339 Fax: 573-751-3668
Email: EO@labor.mo.gov

or
Director, Civil Rights Center (CRC)
U.S. Department of Labor
200 Constitution Avenue NW, Room N-4123
Washington, DC 20210
or electronically as directed on the CRC website at
dol.gov/crc

If you file your complaint with DES, you must wait until DES issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the CRC (see address above). If DES does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you may file a complaint with CRC before receiving that Notice. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the DES). If DES does give you a written Notice of Final

Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

For more information, review the Missouri Department of Labor's equal opportunity policy at labor.mo.gov/EO.

IMPORTANT: This process for complaints of discrimination should not be used if you are appealing an eligibility or monetary determination to unemployment benefits. See The Appeal Process on page 3 or visit labor.mo.gov/DES/Appeals/how_to_file_appeal.

Contact Information

Regional Claims Centers (RCC)

Jefferson City.....	573-751-9040
Kansas City.....	816-889-3101
Springfield.....	417-895-6851
St. Louis.....	314-340-4950
Outside Local Calling Area.....	800-320-2519
Fax Number.....	573-751-9730
P.O. Box 3915, Jefferson City, MO 65102	

Automated Information available 24 hours a day.

RCC representatives are available from
8 a.m. to 5 p.m. Central Time,
Monday through Friday.

UInteract - uinteract.labor.mo.gov

Available 12:31 a.m. Sunday
through 11:30 p.m. Saturday.

IMPORTANT: If needed, call 573-751-9040 for assistance in the translation and understanding of the information in this document.

¡IMPORTANTE! Si es necesario, llame al 573-751-9040 para asistencia en la traducción y entendimiento de la información en este documento.

Missouri Division of Employment Security is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. TDD/TTY: 800-735-2966 Relay Missouri: 711

Privacy Act of 1974

The Privacy Act of 1974, as amended, and the Deficit Reduction Act require notification because you are being asked to furnish your SSN.

Your SSN is used under the authority of Chapter 288 of the Missouri Revised Statutes and 8 CSR 10-4.010 of Missouri regulation, and the Internal Revenue Code of 1986 [26 USC §§85, 6011(a), 6050B, and 6109(a)]. Your

SSN will be used to report your unemployment benefits to the IRS as income that is potentially taxable. It will be used as a record for processing your claim, for statistical purposes, and to compare records with other state and federal agencies. The DES cannot file or process your claim for unemployment benefits if you do not provide your SSN.

Information submitted to the DES by you or your current or former employer may be requested and utilized for other governmental purposes, including but not limited to, verification of eligibility under other government programs.

Your SSN will be verified with the Social Security Administration.



DIVISION OF EMPLOYMENT SECURITY



*35718249

*

(Benefit Payment Control)

Date Mailed: 11-27-2019

Claimant Name
Claimant Address

Social Security Number: XXX-XX-4442

Benefit Year Beginning: 08-04-2019

Overpayment ID: 595965

SAMPLE LETTER

Fraud Overpayment

OVERPAYMENT AND PENALTY DETERMINATION

You are overpaid on your claim for unemployment benefits due to fraud
BECAUSE YOU WERE PAID DURING A PERIOD OF INELIGIBILITY

Week	Amount	Week	Amount	Week	Amount	Week	Amount
08-10-2019	\$250.36	08-17-2019	\$320.00				

Total Overpaid: \$570.36

The penalty amount assessed on this overpayment is: \$142.59

The total amount is: \$712.95

APPEAL RIGHTS AND REPAYMENT INFORMATION ON BACK

B-106S (08-17)
BNM011F

THIS OVERPAYMENT IS THE RESULT OF CLAIMANT FRAUD.

The Division of Employment Security (DES) has determined that you willfully failed to report wages earned during one or more week(s) that you received unemployment benefits, and/or falsified information that, if accurately reported, would have disqualified you from receiving unemployment benefits.

Section 288.380 of the Missouri Revised Statutes (RSMo) provides that a penalty of 25 percent of the amount of benefits fraudulently obtained will be assessed for a first offense, and that a penalty of 100 percent of the amount of benefits fraudulently obtained will be assessed for any additional offenses.

Failure to repay this overpayment and penalty or defaulting on a payment plan will result in further immediate legal action.

A written notice of ineligibility for benefits will be sent after the enclosed overpayment and penalty determination is final and you will not receive further benefit payments until you repay the overpayment and penalty as defined by Section 288.040 RSMo.

Any person receiving fraudulent payments must repay the overpayment and penalty. Failure to do so will result in payment recovery through billings, intercepts of state and federal tax refunds, and of lottery winnings, and enforced collection methods, as authorized by Section 288.380.14 RSMo.

To repay by credit card or set up a payment plan, please call 573-751-4058. Or, send a check or money order to the address below. Please include your Social Security Number (SSN) with your payment to ensure proper credit. **Mail to:**

**Missouri Division of Employment Security
Benefit Payment Control Unit
P.O. Box 3100
Jefferson City, MO 65102-3100**

For more information about this determination, contact the Division at 1-800-320-2519 .

If you believe this determination is incorrect, you or your duly authorized agent (a person that you designate to assist or represent you in this matter) may appeal it no later than 12-27-2019.

This appeal may be mailed to: Missouri Division of Employment Security, Appeals Section, P.O. Box 59, Jefferson City, MO 65104-0059, or faxed to 573-751-1321. The appeal must give the reason you believe the overpayment and penalty determination is incorrect and must be signed by you. Please include your full name, address, and SSN.

For more information about appeals, visit http://labor.mo.gov/DES/Appeals/how_to_file_appeal.

***IMPORTANT:** If needed, call 573-751-0664 for assistance in the translation and understanding of the information in this document.
¡IMPORTANTE! Si es necesario, llame al 573-751-0664 para asistencia en la traducción y entendimiento de la información en este documento.
Missouri Division of Employment Security is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. TDD/TTY: 800-735-2966 Relay Missouri: 711*



DIVISION OF EMPLOYMENT SECURITY



*46540735

*

(Benefit Payment Control)

B-106S

Claimant Name
Claimant Address

Date Mailed: 12-03-2020
Social Security Number: XXX-XX-5223
Benefit Year Beginning: 04-05-2020
Overpayment ID: 696866



OVERPAYMENT DETERMINATION

You are overpaid on your claim for unemployment benefits due to unintentional error or omission on your part. You are overpaid

BECAUSE YOU WERE PAID DURING A PERIOD OF INELIGIBILITY

Week	Amount	Week	Amount	Week	Amount	Week	Amount
05-30-2020	\$192.00	06-06-2020	\$192.00	06-13-2020	\$192.00	06-20-2020	\$192.00
06-27-2020	\$192.00	07-04-2020	\$192.00	07-11-2020	\$8.00	07-18-2020	\$8.00
07-25-2020	\$8.00	08-01-2020	\$8.00	08-08-2020	\$192.00	08-15-2020	\$192.00
08-22-2020	\$172.00						

Total Overpaid: \$1,740.00

APPEAL RIGHTS AND REPAYMENT INFORMATION ON BACK

B-106S (04-20)
BNM11N

**THIS OVERPAYMENT IS THE RESULT OF
UNINTENTIONAL ERROR OR OMISSION ON YOUR PART.**

We have determined that you were overpaid unemployment benefits by reason of your unintentional error, omission, or lack of knowledge of material fact. In order to recover this debt, the Division of Employment Security will collect restitution from future weekly benefit payments, as authorized by 288.380 of the Missouri Revised Statutes.

Failure to repay this overpayment will result in recovery through billings, intercepts of state and federal tax refunds, and of lottery winnings, and enforced collection methods, as authorized by Section 288.380.14 RSMo.

If you are not currently claiming unemployment benefits, you may voluntarily repay this overpayment. To repay by credit card or set up a payment plan, please call 573-751-4058. Or, send a check or money order to the address below.

____ Please include your Social Security Number (SSN) with your payment to ensure proper credit. **Mail to:**

Missouri Division of Employment Security
Benefit Payment Control Unit
P.O. Box 3100
Jefferson City, MO 65102-3100

For more information about this determination, contact the Division at 1-800-320-2519 .

If you believe this determination is incorrect, you or your duly authorized agent (a person that you designate to assist or represent you in this matter) may appeal it no later than 01-04-2021.

This appeal may be mailed to: Missouri Division of Employment Security, Appeals Section, P.O. Box 59, Jefferson City, MO 65104-0059, or faxed to 573-751-1321. The appeal must give the reason you believe the overpayment determination is incorrect and must be signed by you. Please include your full name, address, and SSN.

For more information about appeals, visit labor.mo.gov/DES/Appeals/how_to_file_appeal.

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MISSOURI DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
**DEPUTY'S DETERMINATION CONCERNING
 CLAIM FOR BENEFITS**

Claimant's Name and Address

Employer Name and Address

Social Security No.: XXX-XX-9741
 Benefit Year Beginning Date: 04-05-2020
 Renewal Date:
 Employer Acct.
 Date Determination Mailed: 02-01-2021
 Notified: CLMT,EMP

Office:
 Missouri Division of Employment Security
 P.O. Box 3915
 Jefferson City, MO 65102-3915
 Phone: 573-751-9040
 Toll Free: 800-320-2519



LAW STATEMENT

Section 288.050, RSMo, as amended, provides for disqualification if the claimant voluntarily quit without good cause attributable to his work or employer, even though the claimant may have had a good personal reason for leaving. Such disqualification can be terminated if the claimant earns ten times the weekly benefit amount in insured work after the date of the disqualifying quit.

DETERMINATION

The claimant is disqualified from 05/10/2020 because the claimant left work with the above employer voluntarily without good cause attributable to the work or employer on 05/10/2020.

REASON

The claimant quit because of medical concerns. This is a personal reason for quitting.

EMPLOYER INFORMATION

If this determination disqualifies or finds the claimant to be ineligible, your account may be protected from charges. To determine potential charges, review the Employers' Rights and Responsibilities handbook.

If you are unable to recognize individual(s) identified on this correspondence, please contact the Division at 573-751-1099 for assistance. If you have questions on why you are receiving this notice, contact 573-751-9040.

YOUR APPEAL RIGHTS

If you believe this determination is incorrect, you may file an appeal not later than 03-03-2021. The appeal period may, for good cause, be extended. If your appeal is dismissed as not timely filed, an appeal to the dismissal may be filed as instructed on the dismissal order. An appeal may be filed by the claimant or his or her authorized agent. If filed by an agent, the appeal must include the claimant's written authorization for the agent to act. Any employee of the employer who is a party or a licensed attorney may also file an appeal. For your convenience, an appeal form is available online at www.labor.mo.gov/DES/Appeals/how_to_file_appeal. An appeal must be mailed to **Appeals Tribunal, P.O. Box 59, Jefferson City, MO 65104-0059**, faxed to 573-751-1321, or filed online at www.labor.mo.gov/DES/. If by mail, the appeal is deemed filed as of the date endorsed by the United States Postal Service. An appeal should give the reason the determination is incorrect and must be signed. Include the Social Security Number of the claimant. If you do not understand the determination or how to file an appeal, contact the office shown above for assistance. Additional appeal information can be found in the Information for Workers and Employers' Rights and Responsibilities pamphlets.

IMPORTANT: If needed, call 573-751-9040 for assistance in the translation and understanding of the information in this document.

¡IMPORTANTE! Si es necesario, llame al 573-751-9040 para asistencia en la traducción y entendimiento de la información en este documento.

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MODES-2084-U-B (08-17)



MISSOURI DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
**DEPUTY'S DETERMINATION CONCERNING
 CLAIM FOR BENEFITS**

Claimant's Name and Address

Employer Name and Address

Social Security No.: XXX-XX-3811
 Benefit Year Beginning Date: 05-10-2020
 Renewal Date:
 Employer Acct. No.:
 Date Determination Mailed: 10-06-2020
 Notified: EMP

Office:
 Missouri Division of Employment Security
 P.O. Box 3915
 Jefferson City, MO 65102-3915
 Phone: 573-751-9040
 Toll Free: 800-320-2519



LAW STATEMENT

Section 288.050, RSMo, as amended, provides for disqualification for discharges for misconduct connected with work. Such disqualification can be terminated if the claimant earns six times the weekly benefit amount in insured work after the date of the disqualifying discharge. If a claimant is disqualified on a subsequent discharge, the claimant will be required to earn six times the weekly benefit amount in insured work after the date of each subsequent disqualifying discharge.

DETERMINATION

The claimant is not disqualified because of the discharge on 05/13/2020. The discharge was not for misconduct connected with work.

REASON

The claimant was discharged because the employer was dissatisfied with the claimant's work performance. The claimant was working to the best of his or her ability.

EMPLOYER INFORMATION

If this determination disqualifies or finds the claimant to be ineligible, your account may be protected from charges. To determine potential charges, review the Employers' Rights and Responsibilities handbook.

If you are unable to recognize individual(s) identified on this correspondence, please contact the Division at 573-751-1099 for assistance. If you have questions on why you are receiving this notice, contact 573-751-9040.

YOUR APPEAL RIGHTS

If you believe this determination is incorrect, you may file an appeal not later than 11-05-2020. The appeal period may, for good cause, be extended. If your appeal is dismissed as not timely filed, an appeal to the dismissal may be filed as instructed on the dismissal order. An appeal may be filed by the claimant or his or her authorized agent. If filed by an agent, the appeal must include the claimant's written authorization for the agent to act. Any employee of the employer who is a party or a licensed attorney may also file an appeal. For your convenience, an appeal form is available online at www.labor.mo.gov/DES/Appeals/how_to_file_appeal. An appeal must be mailed to Appeals Tribunal, P.O. Box 59, Jefferson City, MO 65104-0059, faxed to 573-751-1321, or filed online at www.labor.mo.gov/DES/. If by mail, the appeal is deemed filed as of the date endorsed by the United States Postal Service. An appeal should give the reason the determination is incorrect and must be signed. Include the Social Security Number of the claimant. If you do not understand the determination or how to file an appeal, contact the office shown above for assistance. Additional appeal information can be found in the Information for Workers and Employers' Rights and Responsibilities pamphlets.

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MODES-2084-U-E (08-17)

IMPORTANT MESSAGES

Your claim is based on school and non-school wages. If the reasonable assurance provision applies, you may be eligible to receive benefits based only on non-school wages. The Weekly Benefit Amount of your claim based only on non-school wages is \$187.00, the Maximum Benefit Amount based only on non-school wages is \$3,740.00.

Notice: Pursuant to 288.380 and 288.395 RSMo, knowingly and willfully concealing a material fact by any trick, scheme, or device or knowingly making a false statement in connection with this claim is an offense, punishable by a fine, imprisonment; or both.

FRAUD WARNING

Giving incorrect information or making a false statement in order to receive payments is an offense punishable by a fine, imprisonment, or both.

APPEAL RIGHTS: You can appeal if you disagree with your benefit amounts, the wages reported, or the start date of your claim. You or your duly authorized agent (a person that you designate to assist or represent you in this matter) may file the appeal. You may submit a signed written statement or complete an appeal form. If an appeal is not filed by 05-07-2020, the information in this notice cannot be changed. Make your weekly requests for payment even if you file an appeal. The appeal can be filed by:

- Mail – Appeals Section, P.O. Box 59, Jefferson City, MO 65104
- Fax – 573-751-1321

For more information about the appeal process, or to get an appeal form, visit our website at [labor.mo.gov/DES/Appeals/how to file appeal](http://labor.mo.gov/DES/Appeals/how_to_file_appeal).

Equal Opportunity is the Law

It is against the law for this recipient of Federal financial assistance to discriminate on the following bases: against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity.

What to Do if You Believe you have Experienced Discrimination

If you think that you have been subjected to discrimination under a WIOA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

Human Resources
Department of Labor and Industrial Relations
P.O. Box 510, Jefferson City, MO 65102-0510
Phone: 573-751-1339 Fax: 573-751-3668
Email: EO@labor.mo.gov

The Director, Civil Rights Center (CRC)
U.S. Department of Labor
200 Constitution Avenue NW, Room N-4123
Washington, D.C. 20210
or electronically as directed on the CRC website at
dol.gov/crc

For more information, review the Missouri Department of Labor's equal opportunity policy at labor.mo.gov/EO.



**DIVISION OF
EMPLOYMENT
SECURITY**

P.O. Box 3915
Jefferson City, MO 65102-3915
www.labor.mo.gov/DES

RESULTS OF THE UNEMPLOYMENT CLAIM YOU FILED
Determination of Status as an Insured Worker

Claimant Name
Claimant Address



Date Mailed: 04-07-2020

Social Security No.: XXX-XX-5223

You have earned enough wages from previous employers to be an insured worker and qualify for an unemployment claim. Even though you qualify, the reason you are no longer working can affect whether or not you can receive benefit payments.

Benefit Information

- Your benefit claim is in effect for one year beginning 04-05-2020 and ending 04-10-2021.
- Your weekly benefit amount (WBA) is \$192.00.
- The maximum benefit amount (MBA) that you can collect during this claim year is \$3,840.00. Note that the amount may run out before your claim period ends.

Review Your Wages

The wages below were reported by your employer(s). The base period of work used was 01-01-2019 to 12-31-2019. If you do not agree with the wages, see **Appeal Rights on the back page**.

	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total Wages Earned
Employer	2019-01-01 to 2019-03-31	2019-04-01 to 2019-06-30	2019-07-01 to 2019-09-30	2019-10-01 to 2019-12-31	
Employer A	\$0.0	\$0.0	\$1394.72	\$4922.90	
Employer B					
Employer C	\$4686.75	\$1751.00	\$0.0	\$0.0	
	\$0.0	\$2917.63	\$2819.93	\$0.0	
TOTAL	\$4,686.75	\$4,668.63	\$4,214.65	\$4,922.90	\$18,492.93

Next Steps

- File your weekly requests for payment each week you are unemployed at uinteract.labor.mo.gov.
- Read the enclosed What You Need to Know About Unemployment Insurance in Missouri pamphlet for further instructions.
- You are required to make 0 work search activities through 06-06-2020.
If you continue to claim benefits after 06-06-2020, you will be required to make 3 work search activities each week.

If you have questions, visit labor.mo.gov/DES/Claims, or contact a Regional Claims Center.

SEE BACK PAGE FOR IMPORTANT MESSAGE(S)

IMPORTANT: If needed, call 573-751-9040 for assistance in the translation and understanding of the information in this document.

¡IMPORTANTE! Si es necesario, llame al 573-751-9040 para asistencia en la traducción y entendimiento de la información en este documento.

Missouri Division of Employment Security is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. TDD/TTY: 800-735-2966 Relay Missouri: 711

**MISSOURI
DEPARTMENT OF LABOR
& INDUSTRIAL RELATIONS**

MODES-B-91 (01-20)
Benefits

1. What is the percentage of claims we are requesting repayment were fraudulent vs. non-fraudulent?

CY 2020 Fraud % Number Established			2.3%
CY 2020 Non-Fraud % Number Established			97.7%

2. Total number of people affected by overpayments? (that we are aware of so far)

Approx. 46,000

3. The avg. amount of overpayments?

CY 2020 Overpayment averages by program:

Pandemic Em →
(Fed Pandemic)
Supplement

Regular UI - \$990.86
PEUC - \$434.68
FPUC - \$3,370.06
PUA - \$464.83
LWA - \$827.24

4. Can the department verify that it does not report those who are currently not repaying their overpayment amounts to credit bureaus?

The DES does not report UI overpayments to credit bureaus.